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Testimony of Esther Rada, Connecticut Legal Services For the Judicial Subcommittee of the Legislature's Appropriations Hearing Supporting Connecticut Legal Services February 23, 2009

Good Morning Chairs and Members of the Judicial Subcommittee Legislature's Appropriations. My name is Esther Rada, I am an elder law attorney with Connecticut Legal Services In Waterbury. I cover an area that encompasses 40 plus towns in Northwest CT. I am here to testify in support of increased and stabilized funding for Connecticut Legal Services. I want to ask you to view this issue not from just our client perspectives. The value that Connecticut Legal Service provides the State of Connecticut cannot be adequately measured. It's important to remember the impact of CLS on the state of Ct as first responders in emergency situations, as force multipliers, as a "quasi" investigatory branch and as compliance experts all inuring to the fiscal benefit of the state as well as the immediate benefit to the client.

First Legal Services function as first responders, the gate keepers for that essential and critical pillar, civil justice. For some of clients our services mean the difference between hunger and food on the table, bankruptcy and economic stability, homelessness or housing. Last year an 82 yr old WWII veteran called us crying. He was living alone in his house, recently discharged from the hospital and because he had to pay his property taxes, had no food or oil in FEB. His wife had died the year before and he was freezing. Without us, it is quite possible he may have died. The year before on the Wed evening before Thanksgiving our Waterbury office received a call from the Director of Services at St John Divine. They found a 78 year old woman wandering the streets of Waterbury, homeless. We learned that she had been a Nurse her whole life, was receiving a pension as well as social security, had no family and was in the early stages of dementia. She had forgotten to pay her rent over the last year, was unable to recognize her medical condition and had been literally evicted and thrown out on the street. We were able to secure her immediate housing and subsequently stabilize her in protective independent housing with care. We are first responders.

Legal services also provide an investigatory function for the citizens of CT. Regardless of all the "services" that are in place or available to people, inadequacies & failures to provide those services do exist. Legal services ferret out and uncovers illegal issues that impact many CT residents. Without legal services low income people cannot address these systems issues. But the first and real hurdle to that access is the availability and existence of legal services programs within a state. A client who is over ninety and lives independently encountered a credit card bill for over \$3k for dental services that he never received.



When his own letter writing efforts failed to correct the problem he came to us. We were able to address the issues and get his credit rating back to its original high standards. His case has highlighted certain possible predatory credit card practices that we are monitoring regarding the use of credit cards because so many Ct residents who have no dental insurance. We investigate and uncover these types of issues for the benefit of all.

Legal services are force multipliers. When an legal issue is discovered, we work with providers, agencies, services and clients to address the problem if possible first in a collegial manner that fosters prevention of similar issues in the future, educates all and expands the safety nets for many others as well. And although litigation is often viewed as anathema to a state, class action suits are in fact another example of force multipliers, consolidating cases and putting issues to bed. Litigation itself provides case law and precedents, shapes our laws and future lives. It's impossible to fully measure the impact of one legal services attorney but it is safe to say we are force multipliers.

Finally, Legal Services provides a collateral compliance function for the state. Although some may call it a watch dog function, it does ultimately benefit all CT residents. As an example, last year we discovered that a certain department had failed to comply with a mandatory federal exception for food stamp benefits for many years. Rather than bring a costly class action suit we alerted the USDA office and brokered a meeting with department personnel including the AG's office to "set this issue right", thus forcing compliance in a fiscally sensitive manner.

You have been supportive in the past but in the current environment we ask you to make the hard decisions that would insulate legal services from future funding crisis. The poor are only poorer at times such as these. They need our services more now than ever before. Without equal access to civil legal services a government fails to administer justice. This is critical and we need your support.

Civil legal aid provides low-income and vulnerable people with meaningful access to justice. These services can be as simple as educating clients about their rights and responsibilities. More complex problems may require more extensive representation. A justice gap persists, exacerbating the divide between those who can afford a lawyer and those who cannot. The elderly are particularly vulnerable, many on fixed incomes, home bound and technologically challenged, and unable to address and navigate service systems and concepts. Because there is currently no right to civil justice representation, Legal Services is the primary source of civil justice representation to those who cannot afford it. I also alert you to an article citation concerning this right in my written testimony¹.

In conclusion, please note that the number # 2 priority of the American Bar Association is Access to Legal Services. That alone speaks volumes.

And I leave you with a quote from John Adams.

"The way to secure liberty is to place it in the people's hands, that is, to give them the power at all times to defend it in the legislature and in the courts of justice. ~"

Thank you for your time and support.

Respectfully Submitted,
Esther Rada

¹ <http://www.civilrighttocounsel.org/pdfs/Connecticut%20Bar%20Journal%20Apr%202006.pdf>.